

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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THERESA GILL and ESPERANZA NUÑEZ,  
individually and on behalf of all others  
similarly situated,

Plaintiffs,

— against —

MARGARET SPELLINGS, in her official  
capacity as United States Secretary of  
Education, and the UNITED STATES  
DEPARTMENT OF EDUCATION,

Defendants.  
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**TOWNES, United States District Judge:**

**FILED** FILE  
IN CLERKS OFFICE  
U.S. DISTRICT COURT E.D. N.Y.  
★ JUL 10 2007 ★  
P.M. \_\_\_\_\_  
TIME A.M. \_\_\_\_\_

**ORDER and JUDGMENT  
ON FINAL APPROVAL  
OF SETTLEMENT**

00 CV 5453 (SLT)(VVP)

This matter comes before the Court on the application of the parties for approval of the agreements set forth in the Stipulation of Settlement, dated March 9, 2006 (hereinafter, the "Stipulation"), which, together with the exhibits annexed hereto, sets forth the terms and conditions of a proposed settlement of the litigation and final judgment of the litigation with prejudice upon the terms and conditions set forth therein. On January 26, 2007, a hearing was conducted before this Court to determine whether the terms and conditions of the Stipulation are fair, reasonable, and adequate for the settlement of all claims asserted in the complaint on behalf of the members of the Class against the Defendant.

The Court has considered all matters submitted to it before and at the hearing and otherwise, and it is hereby

ORDERED, ADJUDGED, and DECREED, that:

1. This Judgment incorporates by reference the definitions in the Stipulation and all terms used herein shall have the same meaning as set forth in the Stipulation.
2. This Court has jurisdiction over the subject matter of the litigation and over all parties to the litigation, including all Class Members.
3. A notice of the hearing substantially in the form approved by the Court was mailed to the last-known addresses of all persons reasonably identifiable as Members of the Class certified by this Court (*Amon, J.*) on July 12, 2001.
4. Pursuant to Rule 23 of the Federal Rules of Civil Procedure, this Court approves the settlement set forth in the Stipulation and finds that the settlement is in all respects fair, reasonable, adequate, and in the best interests of the Class.
5. No objection to the terms and conditions of the Stipulation has been made by any Member of the Class.
6. The Court finds that the Stipulation is fair, reasonable, and adequate as to the Defendant and to the Class, and that the Stipulation of

Settlement is hereby finally approved in all respects, and the Defendant and the Class are directed to perform according to the terms of the Stipulation.

SO ORDERED.

Dated: Brooklyn, New York  
July 9, 2007

s/ SLT  
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SANDRA L. TOWNES  
United States District Judge